

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered June 4, 2008.

(Deleted material is struck through and new material is underscored.)

Effective July 1, 2008, Supreme Court Rules 90 and 341 are amended and effective immediately Supreme Court Rule 303, as amended by order dated May 30, 2008, is corrected, as follows.

Amended Rule 90

Rule 90. Conduct of the Hearings

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(c) Documents Presumptively Admissible. All documents referred to under this provision shall be accompanied by a summary cover sheet listing each item that is included detailing the money damages incurred by the categories as set forth in this rule and specifying whether each bill is paid or unpaid. If at least 30 days' written notice of the intention to offer the following documents in evidence is given to every other party, accompanied by a copy of the document, a party may offer in evidence, without foundation or other proof:

(1) bills (specified as paid or unpaid), records and reports of hospitals, doctors, dentists, registered nurses, licensed practical nurses and physical therapists, or other health-care providers;

(2) bills for drugs, medical appliances and prostheses (specified as paid or unpaid);

(3) property repair bills or estimates, when identified and itemized setting forth the charges for labor and material used or proposed for use in the repair of the property;

(4) a report of the rate of earnings and time lost from work or lost compensation prepared by an employer;

(5) the written statement of any expert witness, the deposition of a witness, the statement of a witness which the witness would be allowed to express if testifying in person, if the statement is made by affidavit or by certification as provided in section 1-109 of the Code of Civil Procedure;

(6) any other document not specifically covered by any of the foregoing provisions, and which is otherwise admissible under the rules of evidence.

The pages of any Rule 90(c) package submitted to the arbitrators should be numbered

consecutively from the first page to the last page of the package in addition to any separate numbering of the pages of individual documents comprising such package.

* * *

Adopted May 20, 1987, effective June 1, 1987; amended April 7, 1993, effective June 1, 1993; amended March 26, 1996, effective immediately; amended March 28, 2002, effective July 1, 2002; amended December 5, 2003, effective January 1, 2004; amended October 14, 2005, effective January 1, 2006; amended June 4, 2008, effective July 1, 2008.

Corrected Rule 303

Rule 303. Appeals from Final Judgments of the Circuit Court in Civil Cases

(a) Time; Filing; Transmission of Copy.

(1) The notice of appeal must be filed with the clerk of the circuit court within 30 days after the entry of the final judgment appealed from, or, if a timely posttrial motion directed against the judgment is filed, whether in a jury or a nonjury case, within 30 days after the entry of the order disposing of the last pending postjudgment motion directed against that judgment or order, irrespective of whether the circuit court had entered a series of final orders that were modified pursuant to postjudgment motions. A judgment or order is not final and appealable while a Rule 137 claim remains pending unless the court enters a finding pursuant to Rule 304(a). A notice of appeal filed after the court announces a decision, but before the entry of the judgment or order, is treated as filed on the date of and after the entry of the judgment or order.

(2) When a timely postjudgment motion has been filed by any party, whether in a jury case or a nonjury case, a notice of appeal filed before the entry of the order disposing of the last pending postjudgment motion, or before the final disposition of any separate claim, becomes effective when the order disposing of said motion or claim is entered. A party intending to challenge an order disposing of any postjudgment motion or separate claim, or a judgment amended upon such motion, must file a notice of appeal, or an amended notice of appeal within 30 days of the entry of said order or amended judgment, but where a postjudgment motion is denied, an appeal from the judgment is deemed to include an appeal from the denial of the postjudgment motion. No request for reconsideration of a ruling on a postjudgment motion will toll the running of the time within which a notice of appeal must be filed under this rule.

(3) If a timely notice of appeal is filed and served by a party, any other party, within 10 days after service upon him or her, or within 30 days from the entry of

the judgment or order being appealed, or within 30 days of the entry of the order disposing of the last pending postjudgment motion, whichever is later, may join in the appeal, appeal separately, or cross-appeal by filing a notice of appeal, indicating which type of appeal is being taken.

(4) Within five days after the filing of a notice of appeal, or an amendment of a notice of appeal filed in the circuit court pursuant to subparagraph (b)(4) (5) of this rule, the clerk of the circuit court shall transmit to the clerk of the court to which the appeal is being taken a copy of the notice of appeal or of the amendment.

(b) Form and Contents of Notice of Appeal.

(1) The notice of appeal shall be captioned as follows:

(i) At the top shall appear the statement “Appeal to the _____ Court,” naming the court to which the appeal is taken, and below this shall be the statement “From the Circuit Court of _____,” naming the court from which the appeal is taken.

(ii) It shall bear the title of the case, naming and designating the parties in the same manner as in the circuit court and adding the further designation “appellant” or “appellee,” *e.g.*, “Plaintiff-Appellee.”

(iii) It shall be designated “Notice of Appeal,” “Joining Prior Appeal,” “Separate Appeal,” or “Cross-Appeal,” as appropriate.

(2) It shall specify the judgment or part thereof or other orders appealed from and the relief sought from the reviewing court.

(3) A notice of appeal filed pursuant to Rule 302(a)(1) from a judgment of a circuit court holding unconstitutional a statute of the United States or of this state shall have appended thereto a copy of the court’s findings made in compliance with Rule 18.

(4) It shall contain the signature and address of each appellant or appellant’s attorney.

(5) The notice of appeal may be amended without leave of court within the original 30-day period to file the notice as set forth in paragraph (a) above. Thereafter it may be amended only on motion, in the reviewing court, pursuant to paragraph (d) of this rule. Amendments relate back to the time of the filing of the notice of appeal.

(c) Service of Notice of Appeal. The party filing the notice of appeal or an amendment as of right, shall, within 7 days, file a notice of filing with the reviewing court and serve a copy of the notice of appeal upon every other party and upon any other person or officer entitled by law to notice. Proof of service, as provided by Rule 12, shall be filed with the notice.

(d) Extension of Time in Certain Circumstances. On motion supported by a showing of reasonable excuse for failure to file a notice of appeal on time,

accompanied by the proposed notice of appeal and the filing fee, filed in the reviewing court within 30 days after expiration of the time for filing a notice of appeal, the reviewing court may grant leave to appeal and order the clerk to transmit the notice of appeal to the trial court for filing. If the reviewing court allows leave to file a late notice of appeal, any other party may, within 10 days of the order allowing the filing of the late notice, join in the appeal separately or cross-appeal as set forth in Rule 303(a)(3).

(e) Docketing. Upon receipt of the copy of the notice of appeal transmitted to the reviewing court pursuant to paragraph (a) of this rule, or receipt of a motion for leave to appeal under paragraph (d) of this rule, the clerk of the reviewing court shall enter the appeal upon the docket.

Amended effective January 12, 1967; amended effective January 1, 1970; amended October 21, 1969, effective January 1, 1970; amended effective July 1, 1971; amended effective September 1, 1974; amended October 1, 1976, effective November 15, 1976; amended July 30, 1979, effective October 15, 1979; amended August 9, 1983, effective October 1, 1983; amended April 27, 1984, effective July 1, 1984; amended December 17, 1993, effective February 1, 1994; corrected March 18, 2005, effective immediately; amended October 14, 2005, effective January 1, 2006; amended July 27, 2006, effective September 1, 2006; amended March 16, 2007, effective May 1, 2007; amended May 30, 2008, effective immediately; corrected June 4, 2008, effective immediately.

Amended Rule 341

Rule 341. Briefs

(a) Form of Briefs. Briefs shall be produced in clear, black print on white, opaque, unglazed paper, 8 ½ by 11 inches, and paginated. Only one side of the paper may be used. The text must be double-spaced, ~~including quotations; however,~~ Headings may be single-spaced. Margins must be at least 1 ½ inch on the left side and 1 inch on the other three sides. Briefs shall be safely and securely bound on the left side in a manner that does not obscure the text. Quotations of two or more lines in length may be single-spaced; however, lengthy quotations are not favored and should be included only where they will aid the court's comprehension of the argument. Footnotes are discouraged, ~~but, if used, must be double-spaced~~ may be single-spaced.

Documents may be produced by a word-processing system, typewritten, or commercially printed, and reproduced by any process that provides clear copies consistent with the requirements of this rule. Typeface must be 12-point or larger throughout the document, including quoted material and any footnotes. Condensed type is prohibited. Carbon copies are not permitted.

(b) Length of Briefs.

(1) Page Limitation. The brief of appellant and brief of appellee, ~~excluding only those matters required by Rule 342(a) to be appended thereto~~, shall each be limited to 50 pages, and the reply brief to 20 pages. This page limitation excludes pages containing the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a). Cross-appellants and cross-appellees shall each be allowed an additional 30 pages, and the cross-appellant's reply brief shall not exceed 20 pages. In the Supreme Court, briefs of appellant and appellee in capital cases shall each be limited to 75 pages and the reply brief to 27 pages.

(2) Motions. Motions to file a brief in excess of the page limitation of this rule are not favored. Such a motion shall be filed not less than 10 days before the brief is due or not less than 5 days before a reply brief is due and shall state the excess number of pages requested and the specific grounds establishing the necessity for excess pages. The motion shall be supported by affidavit or verification by certification under Section 1–109 of the Code of Civil Procedure of the attorney or unrepresented party. Any affidavit shall be sworn to before a person who has authority under the law to administer oaths.

(c) Certificate of Compliance. The attorney or unrepresented party shall submit with the brief his or her signed certification that the brief complies with the form and length requirements of paragraphs (a) and (b) of this rule, as follows:

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, ~~excluding the appendix~~ pages containing the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is ____ pages.

* * *

Amended October 21, 1969, effective January 1, 1970; amended July 30, 1979, effective October 15, 1979; amended January 5, 1981, effective February 1, 1981; amended February 19, 1982, effective April 1, 1982; amended May 28, 1982, effective July 1, 1982; amended April 27, 1984, and May 16, 1984, effective July 1, 1984; amended April 10, 1987, effective August 1, 1987; amended May 21, 1987, effective August 1, 1987; amended June 12, 1987, effective immediately; amended May 18, 1988, effective August 1, 1988; amended January 20, 1993, effective immediately; amended December 17, 1993, effective February 1, 1994; amended May 20, 1997, effective July 1, 1997; amended April 11, 2001, effective immediately; amended October 1, 2001, effective immediately; amended May 24, 2006, effective September 1, 2006; amended March 16, 2007, effective immediately; amended June 4, 2008, effective July 1, 2008.